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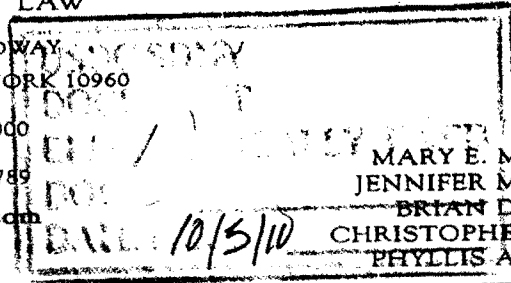
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October 4, 2010

*Via Facsimile Transmission Only - (914) 390-4278*Hon. Cathy Seibel, U.S.D.J.  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

*Application granted*  
**SO ORDERED**  
*Cathy Seibel*  
 Cathy Seibel, U.S.D.J.

Dated: 10/4/10

Re: Khan Kudo v. Panda Restaurant and Panda Express Inc.  
Docket No. 09 cv 0712 (CS)

Dear Judge Seibel:

We represent the main Plaintiff, Khan Kudo, and the Opt-in Plaintiffs in the above referenced matter which involves a collective action under the Fair Labor Standards Act by restaurant General Managers who claim they were misclassified to recover unpaid overtime wages from Defendants. Your Honor previously so-ordered the following motion schedule:

1. Plaintiffs shall serve their motion for conditional certification by August 26, 2010;
2. Defendants shall serve opposition on September 27, 2010; and
3. Plaintiffs shall serve any reply by October 11, 2010.

We understand that Court will be closed on October 11, 2010 in celebration of Columbus Day. Accordingly, with consent of defense counsel, we respectfully request to serve our reply on October 12, 2010. Also, we understand that your honor has a bundling rule and as such the foregoing materials will be submitted on October 12, 2010.

Thank you for Your Honor's consideration of this joint submission. If you should have any questions or require anything further, please do not hesitate to contact the parties.

Very truly yours,

*Mary E. Brady Marzolla*  
 Mary E. Brady Marzolla

MEBM/vad

cc: Sharon Margello, Esq. (via fax)  
Dominick C. Capozzola, Esq. (via fax)

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**FACSIMILE TRANSMITTAL SHEET**

DATE: October 4, 2010

TO: Hon. Cathy Seibel, U.S.D.J. FAX #: 914-390-4278  
Dominick Capozzola, Esq. 973-656-1611  
Sharon Margello, Esq.

FROM: Mary Marzolla

RE: Khan Kudo et al v. Panda Restaurant and Panda Express Inc.  
Index No. 09 cv 0712(CS)

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